



JOHN NAIMO
AUDITOR-CONTROLLER

COUNTY OF LOS ANGELES DEPARTMENT OF AUDITOR-CONTROLLER

KENNETH HAHN HALL OF ADMINISTRATION
500 WEST TEMPLE STREET, ROOM 525
LOS ANGELES, CALIFORNIA 90012-3873
PHONE: (213) 974-8301 FAX: (213) 626-5427

February 11, 2015

TO: Supervisor Michael D. Antonovich, Mayor
Supervisor Hilda L. Solis
Supervisor Mark Ridley-Thomas
Supervisor Sheila Kuehl
Supervisor Don Knabe

FROM:

John Naimo
Auditor-Controller

A handwritten signature in blue ink, reading "John Naimo", is written over the printed name and title.

SUBJECT: **PROBATION DEPARTMENT JUVENILE HALLS - DEPARTMENT OF JUSTICE SETTLEMENT AGREEMENT MONITORING - FISCAL YEAR 2013-14**

In April 2003, the Department of Justice (DOJ) notified the County of Los Angeles (County) and the Los Angeles County Office of Education (LACOE) of its findings that certain conditions at the juvenile halls violated youths' constitutional and federal statutory rights, and subjected them to harm. As a result, the County and LACOE entered into a settlement agreement with the DOJ to implement reforms.

The Probation Department (Probation) led the implementation of the settlement agreement provisions in coordination with LACOE, the Department of Mental Health (DMH), and Juvenile Court Health Services (JCHS). In October 2009, the DOJ concluded that the County and LACOE implemented all of the settlement agreement provisions. At the request of the Chief Executive Officer, we continue to monitor the County's compliance with the 35 settlement agreement provisions.

In 2013 and 2014, we reported on whether the County and LACOE maintained compliance with settlement agreement provisions related to the care and treatment of youth in the juvenile halls that we labeled as high and medium risk. During this review, we evaluated whether Probation, DMH, JCHS, and LACOE maintained compliance with settlement agreement provisions that relate to training County and LACOE staff, and enhancing cooperation and information-sharing between the County and LACOE that we labeled as medium risk.

Results of Review

Our review determined that Probation and LACOE did not maintain full compliance with the three settlement agreement provisions. Specifically, Probation and LACOE did not always maintain documentation to support the required mental health and developmental disability training, suicide prevention training, and initial supervision of youth training that they reported providing to their staff. In addition, Probation did not ensure that their staff completed the Fiscal Year 2013-14 refresher training on supervision of youth.

Review of Report

We discussed the results of our monitoring review (Attachment I) with Probation and LACOE management. Probation's response (Attachment II) indicates partial agreement with our findings and LACOE's response (Attachment III) indicates agreement with our findings. Probation indicated they are in compliance with the mental health and developmental disability training, suicide prevention training, and initial supervision of youth training attendance requirements because their training database indicates that staff completed the training. However, Probation did not provide documentation (e.g., class sign-in sheets or tests) as required by the DOJ Memorandum of Agreement and basic documentation standards, to support the training attendance that they recorded in their database.

We thank Probation, DMH, JCHS, and LACOE management and staff for their continued cooperation and assistance during our review. If you have any questions please call me, or your staff may contact Don Chadwick at (213) 253-0301.

JN:AB:DC:AA:js

Attachments

c: Sachi A. Hamai, Interim Chief Executive Officer
Jerry E. Powers, Chief Probation Officer
Marvin J. Southard, D.S.W., Director, Department of Mental Health
Mitchell H. Katz, M.D., Director, Department of Health Services
Arturo Delgado, Ed.D., Superintendent, Los Angeles County Office of Education
Public Information Office
Audit Committee

**LOS ANGELES COUNTY PROBATION DEPARTMENT JUVENILE HALLS
DEPARTMENT OF JUSTICE SETTLEMENT AGREEMENT
MONITORING RESULTS
FISCAL YEAR 2013-14**

Background

In April 2003, the Department of Justice (DOJ) notified the County of Los Angeles (County) and the Los Angeles County Office of Education (LACOE) of its findings that certain conditions at the juvenile halls violated youths' constitutional and federal statutory rights, and subjected them to harm. As a result, the County and LACOE entered into a settlement agreement with the DOJ to implement reforms.

The Probation Department (Probation) led the implementation of the settlement agreement provisions in coordination with LACOE, the Department of Mental Health (DMH), and Juvenile Court Health Services (JCHS). In October 2009, the DOJ concluded that the County and LACOE implemented all of the settlement agreement provisions. At the request of the Chief Executive Officer, we continue to monitor the County's compliance with the 35 settlement agreement provisions.

Scope of Review

The scope of this review was limited to the following three settlement agreement provisions:

- Staff Understanding of Mental Health and Developmental Disability Needs (Provision 20)
- Suicide Prevention (Provision 22)
- Supervision of Youth (Provision 30)

As part of our review, we interviewed County staff and reviewed documentation maintained at the juvenile halls.

**Staff Understanding of Mental Health and Developmental Disability
Needs (DOJ Provision 20)**

The County and LACOE shall ensure that all staff working with youth residents have the skills and information necessary to understand behaviors of, engage in appropriate interactions with, and respond to the needs of youth with mental illness and developmental disabilities. As part of fulfillment of this provision, the County and LACOE shall mutually agree upon a system for information-sharing as permitted by law, including but not limited to, active and organized seeking of consents by youth and parents to allow sharing of needed information not otherwise permitted by law, to ensure that information about a youth needed for the youth's safety or to meet a serious medical, serious mental health, or special education need is communicated to those individuals who need such information to care for or educate the youth.

Current Status: Partial Compliance

The County and LACOE use Probation's Electronic Medical Records System and Probation's Case Management System to ensure that they communicate information about a youth's safety, medical, mental health, and special education needs to individuals who need the information to care for or educate the youth. In addition, the provision requires Probation, JCHS, and LACOE to provide mental health and developmental disability training to their staff, and these agencies indicated that they provide the training to staff within their first year of employment.

We confirmed the training curriculum fulfilled the settlement agreement requirements. In addition, we reviewed training records for 55 Probation, 24 JCHS, and 53 LACOE staff. All 24 JCHS staff reviewed completed the training timely. In addition, Probation's training database indicated that all 55 staff reviewed were trained. However, Probation did not provide documentation (e.g., class sign-in sheets or tests) for six (11%) of the 55 Probation staff as required. In addition, LACOE did not have documentation that nine (17%) of the 53 LACOE staff completed the training.

Suicide Prevention (DOJ Provision 22)

The County and LACOE shall ensure that all juvenile hall and LACOE staff who work with youth are sufficiently trained in suicide prevention so that they understand how to prevent and respond to crises, including practical matters such as location and use of a cut-down tool in the event of a youth's attempted hanging.

Current Status: Partial Compliance

We reviewed the County and LACOE's suicide prevention training curriculum and confirmed that the course fulfilled the settlement agreement requirements. In addition, we reviewed Fiscal Year (FY) 2013-14 training records for 60 Probation, 88 JCHS, 83 DMH, and 121 LACOE staff. Our review noted that all JCHS and DMH staff completed the annual training. However, LACOE did not provide documentation (e.g., class sign-in sheets or tests) that 13 (11%) of the 121 LACOE staff completed the training. In addition, Probation did not provide documentation that ten (17%) of the 60 Probation staff completed the training even though their database indicated that all 60 staff were trained.

Supervision of Youth (DOJ Provision 30)

The County and LACOE shall ensure that staff who work with youth residents have the knowledge and skills needed to effectively manage youth, including de-escalation techniques, crisis intervention, youth development, and supervision. The County and LACOE shall develop and implement mechanisms for mutual cooperation to ensure that responsibilities that are shared between the County and LACOE and issues that impact upon both the County and LACOE are adequately and appropriately addressed.

Current Status: Partial Compliance

The County and LACOE implemented weekly inter-disciplinary team meetings to ensure that they address shared responsibilities and issues. In addition, the provision's requirement to ensure that staff have the knowledge and skills needed to effectively supervise youth only applies to Probation and LACOE since only their staff supervise youth. Probation indicated that they provide a Safe Crisis Management (SCM) class for their staff during the initial six weeks of employment and that their staff complete a SCM refresher course annually. In addition, LACOE indicated that they provide a similar Crisis Prevention Intervention (CPI) class for their staff during the initial six weeks of employment.

We confirmed that Probation's SCM training curriculum and LACOE's CPI training curriculum fulfilled the settlement agreement requirements. In addition, Probation's training database indicated that for the 60 staff we reviewed, all had received the required initial SCM training. However, for 16 (27%) staff, Probation did not provide documentation (e.g., class sign-in sheets or tests) to indicate the staff received the initial SCM training. In addition, 41 (68%) staff did not complete the FY 2013-14 SCM refresher training. We also noted that LACOE did not have documentation to confirm CPI training attendance for 23 (19%) of the 121 staff we reviewed.



**COUNTY OF LOS ANGELES
PROBATION DEPARTMENT**

9150 EAST IMPERIAL HIGHWAY – DOWNEY, CALIFORNIA

(562) 940-2501



JERRY E. POWERS
Chief Probation Officer

January 20, 2015

TO: John Naimo
Auditor-Controller

FROM: Jerry E. Powers
Chief Probation Officer

A handwritten signature in black ink, appearing to read "J. E. Powers".

**SUBJECT: RESPONSE TO THE AUDITOR-CONTROLLER'S PROBATION
DEPARTMENT JUVENILE HALLS - DEPARTMENT OF JUSTICE
SETTLEMENT AGREEMENT MONITORING FISCAL YEAR 2013-14**

The following is Probation's response to the Auditor Controller's County of Los Angeles Probation Department's Juvenile Halls - Department of Justice Settlement Agreement monitoring results for Fiscal Year 2013-14.

Probation maintained partial compliance with the following two of three (67%) provisions reviewed by the Auditor-Controller's Office:

- Mental Health and Developmental Disability Needs (Provision 20)
- Suicide Prevention (Provision 22)

Noted deficiencies in Probation's compliance with one (1) provision are as follows:

- Supervision of Youth (Provision 30)

The following includes specific information regarding the three (3) provisions, including the one (1) provision where Probation is not in compliance:

MENTAL HEALTH AND DEVELOPMENTALLY DISABILITY NEEDS (DOJ Provision 20)

The County and LACOE shall ensure that staff who work with youth residents have the skills and information necessary to understand behaviors of, engage in appropriate interactions with, and respond to needs of youth with mental illness and developmental disabilities. As part of fulfillment of this provision the County and LACOE shall mutually agree upon a system for information sharing as permitted by law, including but not limited to active and organized seeking of consents by youth and parents to allow sharing of needed

Rebuild Lives and Provide for Healthier and Safer Communities

Mr. John Naimo
January 20, 2015
Page 2

information not otherwise permitted by law, to ensure that information about a youth needed for the youth's safety or to meet a serious medical, serious mental health or special education need is communicated to those individuals who need such information to care for or educate the youth.

Probation Response: Probation partially agrees with the findings.

- Probation was 100% (55 of 55 staff) in compliance with completing the initial Mental Health Training for staff at Juvenile Corrections Officer Core (JCOC) during Fiscal Year (FY) 2013-14. Records of the completed training were documented in the Department's training system, which serves as the official record for State required Peace Officer training and is monitored/audited by the State of California, Board of State and Community Corrections (BSCC), however, Probation could not locate and provide class rosters/tests for six (11%) of the staff who attended the training.

SUICIDE PREVENTION (DOJ Provision 22)

The County and LACOE shall ensure that all Juvenile Hall and LACOE staff who work with youth are sufficiently trained in suicide prevention so that they understand how to prevent and respond to crises, including practical matters such as location and use of a cut down tool in the event of a youth's attempted hanging.

Probation Response: Probation partially agrees with the findings.

- Probation was 98% (59 of 60 staff reviewed) in compliance with staff attending annual Suicide Prevention refresher training during Fiscal Year (FY) 2013-14. Records of the completed training were contained in the Department's training system which serves as the official record for State required Peace Officer training and is monitored/audited by the State of California, Board of State and Community Corrections (BSCC), however, Probation could not locate and provide class rosters/tests for ten (17%) of staff who attended training.

SUPERVISION OF YOUTH (DOJ Provision 30)

The County and LACOE shall ensure that staff who work with youth residents have the knowledge and skills needed to effectively manage youth including de-escalation techniques, crisis intervention, youth development, and supervision. The County and LACOE shall develop and implement mechanisms for mutual cooperation to ensure that responsibilities that are shared between the County and LACOE and issues that impact upon both the County and LACOE are adequately and appropriately addressed.

Probation Response: Probation partially agrees with the findings.

- Probation was 100% (60 of 60 staff) in compliance with staff completion of initial Safe Crisis Management (SCM) training during Fiscal Year (FY) 2013-14. Records of the completed training were contained in the Department's training system, which serves as the official record for State required Peace Officer training and is monitored/audited by the State of California, Board of State and Community

Mr. John Nalmo
January 20, 2015
Page 3

Corrections (BSCC), however, Probation could not locate and provide class rosters/tests for 16 (27%) of staff who attended training.

- Probation was 32% (19 of 60 staff) in compliance with staff completion of SCM refresher training during Fiscal Year (FY) 2013-14.

Probation underwent another phase of the training for trainers process in order to proceed with SCM refresher training. The training of all full-duty Juvenile Hall staff will begin in January 2015 and will be completed prior to end of Fiscal Year 2014-15.

Please contact me if you have any questions, or your staff may contact Sharon Harada at (562) 940-2506.

JEP: fc

c: Felicia Cotton, Deputy Chief
Sharon Harada, Bureau Chief



Los Angeles County Office of Education

Serving Students • Supporting Communities • Leading Educators

Arturo Delgado, Ed.D.
Superintendent

January 23, 2015

Los Angeles County
Board of Education

Katie Braude
President

Thomas A. Saenz
Vice President

Douglas R. Boyd

José Z. Calderón

Alax Johnson

Raymond Reiser

Rebecca J. Turrentine

To: Supervisor Michael D. Antonovich, Mayor
Supervisor Hilda L. Solis
Supervisor Mark Ridley-Thomas
Supervisor Sheila Kuehl
Supervisor Don Knabe

From: Arturo Delgado, Ed.D. *AD*
Superintendent

Subject: Settlement Agreement Between the Department of Justice, the County of
Los Angeles and the Los Angeles County Office of Education dated
August 24, 2004 and updated on January 4, 2006 and August 7, 2007

The settlement agreement between the Department of Justice (DOJ), the County of Los Angeles and the Los Angeles County Office of Education (LACOE), dated August 24, 2004 and updated on January 4, 2006 and August 7, 2007 stipulates that at least 95% of all LACOE employees assigned to Juvenile Court Schools receive annual training in the following areas: Nonviolent Crisis Intervention (NCI), Suicide Prevention, Mental Health training, and Child Abuse Reporting (100% required).

I am pleased to report that during the 2013-14 school year, 100% of all LACOE employees assigned to a Juvenile Court School received the Child Abuse Reporting training and approximately 85% of all employees received the remaining three mandated trainings. Staff reassignments, changes in employment status, and other employment conditions precluded the approximately 15% of LACOE employees from receiving training in all three non-Child Abuse Reporting areas. The Division of Pupil Services (DPS) Director will continue to monitor attendance at these mandated trainings to ensure that LACOE, at the very minimum, meets the 95% requirement by auditing staff certification through an electronic data system. Principals will be required to report the names of PAU staff members who have not met the training requirement to the DPS Director so that an action plan for scheduled trainings can be devised. A Division-wide training schedule will be shared with principals so that all staff will have an opportunity to join a make-up session at a neighboring site.